Human Resources, and other health-related state agencies to divide the state into regions for administrative and regulatory purposes. Those regions must coincide with the health-service areas that federal law requires the Governor to establish. HB 341 would have allowed the agencies to establish administrative or regulatory regions different from those established under federal law.

GOVERNOR'S REASONS FOR VETO: The Governor acknowledged that the bill would give health-related agencies greater administrative flexibility, but said it would eliminate the Governor's role in assuring that related health-service agencies coordinate programs and data collection. It would therefore frustrate efforts to standardize health-planning and data-collection, which he said were "essential in assessing needs, particularly in those programs that are based on interagency effort."

SPONSOR'S VIEW: Rep. Stiles said that the Governor's staff did not understand the intent of the bill. Federal law no longer requires the state to designate health-service areas, so there is no reason why state agencies cannot use different boundaries if the need arises. He cited as an example the Department of Human Resources' plan to close its Beaumont regional office as an economy move. Under current law DHR would have to move the office to Tyler or Longview; HB 341 would have permitted the department to move to Houston, a shorter distance for both the employees of the office and the clients it serves. Rep. Stiles said DHR had no objection to the bill and no objection was raised in the House. When the bill went to the Senate, the Governor's office asked that consideration be delayed while it examined the bill but in the end raised no objection. Rep. Stiles said that neither he nor the Senate sponsor, Sen. Parker, was contacted prior to the veto.

Expenses in defending a will
(HB 482 by Wright)

DIGEST: The bill would have permitted devisees, legatees, and beneficiaries of a will to be paid necessary expenses and attorney's fees for defending or prosecuting a will to have it admitted to probate. Current law grants expenses and fees only to the executor of a will, or, when no executor has been named, to the court-appointed administrator of a will (the "administrator with will annexed").

GOVERNOR'S REASONS FOR VETO: The Governor said extending the right to collect expenses and attorney's fees for defending or prosecuting a will could needlessly diminish the assets of an estate and would encourage unnecessary litigation.

SPONSOR'S VIEW: Rep. Wright said that the bill was intended to address situations in which the executor of an estate is not sufficiently vigorous in his or her duties with respect to a will. The bill would give the beneficiaries an opportunity to aggressively offer up the will, and receive expenses and fees for doing so. He said that current law discourages needless litigation by prohibiting payment of expenses and fees unless they were incurred in good faith and with just cause, and were reasonable and necessary. If a court awarded expenses and fees to a beneficiary, he said, it would most likely not make a similar award to the inactive executor, so that the assets of the estate would not be diminished. Rep. Wright said of the veto, "It is obvious that Mark White is no better a lawyer than he is a governor."

<u>Lease-purchase acquisitions by school districts</u>
(HB 741 by Tejeda)

DIGEST: The bill would have established a procedure for public participation in school-district decisions to lease improved district-owned property. Districts would have to have held public hearings before leasing property worth $100,000 or more, and voters could have petitioned for an election to approve the lease of property for more than six years. An amendment added by the Senate would have given school districts the authority to acquire real or personal property by lease, installment purchase, or lease with an option to purchase.

GOVERNOR'S REASONS FOR VETO: Lease-purchase agreements could be used to circumvent current laws requiring voter approval of bond issues to finance school districts' construction and acquisition